

REMARKS/ARGUMENTS

The Examiner is thanked for the Final Official Action dated June 16, 2006. This amendment and request for reconsideration is intended to be fully responsive thereto.

Claim 4 was objected to as being of improper dependent form. Claims 3 and 4 have been canceled, thus rendering this objection moot.

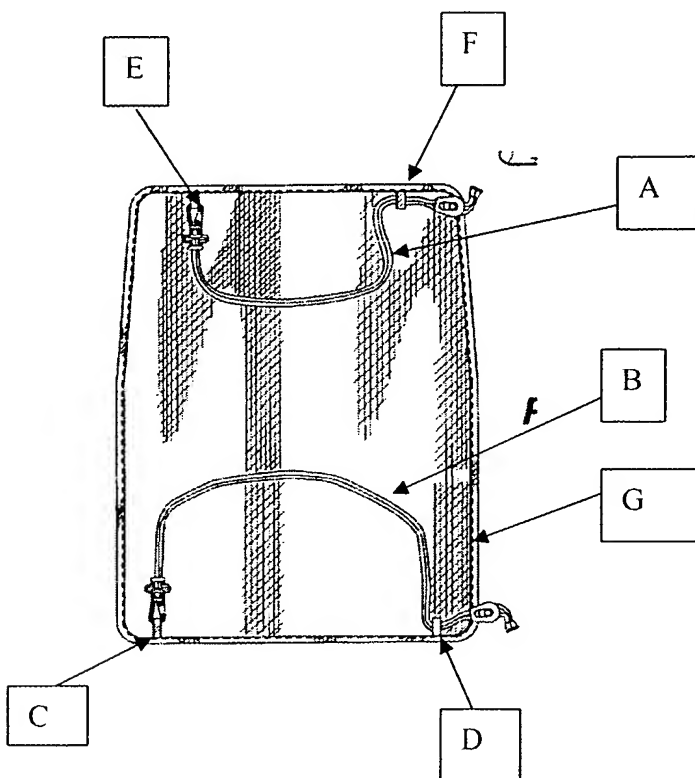
Claims 7 and 8 have been objected to because of minor informalities. Claims 7 and 8 have been amended to overcome these objections. No new matter has been added.

Claims 5 and 12-17 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 5 has been amended to overcome the Examiner's rejection. No new matter has been added. Claims 15 and 16 have been amended to replace the limitation "said container" with the limitation "said housing". No new matter has been added.

Claims 1-4 and 18 were rejected under 35 U.S.C. 102(b) as being anticipated by Bergh (US D419,520). The applicant respectfully disagrees.

Regarding claim 1: The Examiner erroneously alleges that Bergh discloses a mounting device comprising a base strap (B in the figure below) connected to a single point (C) of the lower portion of the housing. The Examiner further alleges that (C) is a single point,

and that strap (B) is attached to this single point, and that the claim does not currently require that both ends of strap (B) are attached to this single point or that the strap is attached only to this single point and no other points. Applicant respectfully disagrees.



First, as clearly shown by Bergh, the base strap (B) is connected to the organizer (G) at two discrete spaced apart points (at loops C and D) (see figure below). Moreover, the word "single" means "only one in number; one only" as defined by the Random House Webster's College Dictionary (1999 Second Random House Edition). Thus, the Examiner's allegations that claim 1 does not currently require that both ends of base strap (B) are attached to this single point or that the base strap is attached only to the single point and no other points, are erroneous.

Second, the Examiner alleges that the first (headrest) strap (A) is connected to two discrete spaced apart points on the upper portion of the organizer (G), while the second (base) strap (B) is connected to a single point (C) of the lower portion of the organizer (G). However, as clearly shown in Figs. 5-8 of Bergh, the first (headrest) strap (A) and the second (base) strap (B) are connected to the organizer (G) in exactly the same manner. Therefore, as implicitly admitted by the Examiner, both the first and second straps (A and B) are connected to the organizer (G) at two points, not the single point, as recited in claim 1.

Moreover, the Examiner erroneously interprets the organizer (G) of Bergh as housing. The Random House Webster's College Dictionary (1999 Second Random House Edition) defines the word "housing" as "Something that covers or protects; a case or enclosure (as for a mechanical part or an instrument). Clearly, the organizer of Bergh having an open shelf, would not be interpreted by one of ordinary skill in the art as "housing" in view of the above definition.

Thus, Applicant respectfully submits that the applied document, *i.e.*, the organizer of Bergh, does not meet this standard of anticipation. Therefore, the rejection of claims 1, 2 and 18 is improper. As noted above, claims 3 and 4 have been canceled, thus rendering rejection of these claims moot.

Claims 1, 3, 6, 7, 9, 10 and 11 were rejected under 35 U.S.C. 102(b) as being anticipated by Hougham (USPN 5,310,102). The applicant respectfully disagrees.

Regarding claim 1: First, the Examiner erroneously interpreted the belt strap 69 of Hougham as a base strap and the leg strap 73 disposed below the belt strap 69, as a headrest strap. The examiner achieved this by turning the sleeve assembly 10 of Hougham upside-

down. Obviously, the sleeve assembly 10 cannot function in this position, thus the Examiner's interpretation is in error. In fact, the belt strap 69 should be interpreted as the headrest strap, while the leg strap 73 as the base strap.

Second, the Examiner alleges that the sleeve assembly 10 of Hougham is capable to support a portable electronic device on the back of an automobile seat. Examiner maintains that a portable electronic device could be rested or supported on the hangers (38&41). Examiner further alleges that a flat electronic device could be laid across all three of the horizontally projecting hangers and be effectively supported thereon. One of ordinary skill in the art would clearly understand that the hangers (38&41) are specifically designed to engage complementary holes in sleeves 17 of vegetable, and cannot be used for "accessibly retaining" the fragile portable electronic device. Moreover, the leg strap 73 is too small to be adapted for substantially encircling a lower portion of the backrest portion of the seat.

Third, Hougham fails to disclose the base strap adapted for substantially encircling a lower portion of the backrest portion of the seat proximate the base portion. Even is, for the sake of argument, the belt strap 69 of Hougham could be interpreted as the base strap of claim 1, the belt strap 69 of Hougham does not adapted for substantially encircling the leg 26 of the user.

Thus, Applicant respectfully submits that the applied document, *i.e.*, the sleeve assembly of Hougham, does not meet this standard of anticipation.

Claims 1, 3, 4, 5 and 11 were rejected under 35 U.S.C. 102(b) as being anticipated by Smith (US 5,465,889). The applicant respectfully disagrees.

Smith discloses a purse assembly P comprised of a purse 10, a belt 12 and a tie 13 provided at the lower end of the purse. However, Smith fails to disclose a base strap connected to a single point of a lower portion of the housing, as Smith provides no details whatsoever as for how the belt 12 and tie 13 are connected to the purse 10. However, anticipation under Section 102 requires that a prior art reference disclose every claim element of the claimed invention that must be found in a single reference. The absence of any element of the claim from the cited reference negates anticipation. Thus, Applicant respectfully submits that the applied document, *i.e.*, the purse assembly of Smith, does not meet this standard of anticipation.

Claim 15 was rejected under 35 U.S.C. 102(b) as being anticipated by Perkins (US 6,097,448). The applicant respectfully disagrees.

First, Perkins fails to disclose a connecting harness for holding a housing to a rearward facing surface of an automobile seat. Contrary to the present invention as recited in claim 15, the carrier 10 of Perkins is supported by a harness 10 between left and right passenger seats 4, 6 (see Fig. 1), not holding the carrier 10 to a rearward facing surface of any of the seats 4, 6.

Second, the Examiner interprets the upper strap (18) of Perkins as a headrest strap having a first and second end attached at two discrete spaced apart locations, and the lower strap (20) of Perkins as both a base strap encircling (a portion of the lower strap (20)), and a crossover strap (the rest of the lower strap (20)) connecting the base strap to a third location

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disposed on a lower portion of the housing. Applicant believes that such an interpretation of the lower strap (20) has no merit as the Examiner differently interprets completely identical straps 18 and 20.

Moreover, Applicant disagrees with the Examiner's line of reasoning that Perkins discloses a three-point connecting harness. The examiner admits that, the straps (18&20) of Perkins are shown connected to the housing at four separate attachment points. The examiner concludes that because four separate attachment points include three attachment points, thus making them an effective three-point connecting harness. In fact, as clearly disclosed by Perkins, the harness 12 includes four straps 18, 20, 22, 24 supporting the weight of CRT device 2, effectively making it an eight-point connecting harness. While agreeing with Examiner that the pending claims must be given their broadest reasonable interpretation consistent with the specification, we trust that that the broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach, as stated in MPEP § 2111. Applicant believes that those skilled in the art would not possibly interpret the eight-point connecting harness of Perkins as the eight-point connecting harness.

Accordingly, the rejection of claim 15 under 35 U.S.C. 102(b) as being anticipated by Perkins is improper.

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Hougham in view of Rassias (US 6,149,042). The applicant respectfully disagrees.

As argued above regarding the patentability of claim 1, Hougham fails to disclose the essential structural elements of the present invention as recited in claim 1 of the present

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invention. Moreover, the prior art fails to provide adequate motivation to combine the references as cited by the Examiner. Therefore, the rejection of claim 8 under 35 U.S.C. 103(a) is improper.

Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bergh in view of Patterson (US 2001/0039903). The applicant respectfully disagrees.


As argued above regarding the patentability of claim 1, Bergh fails to disclose the essential structural elements of the present invention as recited in claim 1 of the present invention. Therefore, the rejection of claim 19 under 35 U.S.C. 103(a) is improper.

Claims 12-14, 16 and 17 were indicated as allowable if rewritten to overcome the rejections under 35 USC 112, second paragraph, and to include all the limitation of the base claim and any intervening claims. Accordingly, claim 12 has been rewritten in independent form to overcome the rejections under 35 USC 112, second paragraph, and to include all the limitations of the base claim 1 and the intervening claims 2 and 5. Similarly, claim 16 corresponds to allowable claim 16 has been rewritten in independent form to overcome the rejections under 35 USC 112, second paragraph, and to include all the limitations of the base claim 15. No new matter has been added.

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It is respectfully submitted that claims 1, 2, and 5-19 define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

Respectfully submitted:

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